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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware
Corporation,

Defendant.

Case No. 3:20-cv-08570-JD

**STIPULATION TO AMEND THE
DEPOSITION PROTOCOL**

Judge: Hon. James Donato

1 WHEREAS, the Court ordered Consumer Plaintiffs, Advertiser Plaintiffs, and Defendant
2 Meta Platforms, Inc. (collectively, the “Parties”) to “meet and confer, in person to the extent
3 possible, to work out a reasonable plan for overall deposition hours” in its January 20, 2023 Minute
4 Order, ECF No. 424; and

5 WHEREAS, the Parties met and conferred on February 1, 2023 at the offices of Scott+Scott
6 Attorneys at Law in New York, New York, and Wilmer Cutler Pickering Hale and Dorr in Palo
7 Alto, California regarding deposition limits and reached agreement on the disputed issues; and

8 WHEREAS, except as specifically provided herein, the Stipulated Deposition Protocol,
9 ECF No. 174, continues to govern all discovery depositions of Party and non-party witnesses,
10 including depositions taken pursuant to Fed. R. Civ. P. 30(b)(6);

11 **IT IS HEREBY STIPULATED AND AGREED** by and through the Parties’ respective counsel,
12 that:

13 1) The Parties are bilaterally bound to the following deposition limits. All limits that apply
14 “per side” apply to Meta Platforms, Inc., on the one hand, and User and Advertiser
15 Plaintiffs collectively, on the other:

16 a. Each side shall be limited to a total of two hundred and sixty (260) deposition hours
17 of the current and former employees of Meta Platforms, Inc. and there shall be a
18 maximum of 50 witnesses deposed under this category, per side. Each deposition
19 shall count towards the 50-deposition limit and for a minimum of three (3) hours,
20 even if the elapsed time on the record is less than three (3) hours.

21 b. For nonparties to this action, not including former employees of Meta Platforms,
22 Inc., the Parties shall be limited to a total of 105 deposition hours per side, with
23 each deposition counting towards a minimum of (3) hours, even if the elapsed time
24 on the record is less than three (3) hours.

25 2) Non-party depositions that are cross-noticed by Meta Platforms, Inc. and one or both of
26 User and/or Advertiser Plaintiffs shall not exceed ten (10) hours total, with each side
27 receiving up to five (5) hours of deposition time. If a lesser amount of time is negotiated
28 for a given non-party, then the time allowed will be split equally (i.e., 50/50) between Meta

1 Platforms, Inc., on the one hand, and one or both of Users and/or Advertisers, on the other.
2 The Parties shall consult with cross-noticed deponents to split the deposition over a period
3 of two (2) days, if necessary, by mutual agreement.

- 4 3) If one side does not notice a particular deposition, that side shall be permitted to question
5 the deponent for up to one (1) hour at the end of primary questioning (i.e., before redirect
6 or recross), which time shall not count towards any of the limits set forth in this stipulation.
7 4) The Parties reserve their rights to seek reasonable modifications of these terms as
8 appropriate in individual instances and in good faith.

1 DATED: February 3, 2023

Respectfully submitted,

2 By: /s/ Shana E. Scarlett

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ATTESTATION OF SONAL N. MEHTA

This document is being filed through the Electronic Case Filing (ECF) system by attorney Sonal N. Mehta. By her signature, Ms. Mehta attests that she has obtained concurrence in the filing of this document from each of the attorneys identified on the caption page and in the above signature block.

Dated: February 3, 2023

By: /s/ Sonal N. Mehta
Sonal N. Mehta